

TTAB

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL  
AND APPEAL BOARD

In the matter of  
Trademark Application Serial No. 75/925,313  
Filed: February 9, 2000  
Mark: NETRAQ  
Published: November 7, 2000



07-03-2002  
U.S. Patent & TMO/TM Mail Rcpt Dt. #74

TRADEMARK TRIAL AND  
APPEAL BOARD  
02 JUL 11 AM 12:21

SUN MICROSYSTEMS, INC.

Opposer,

v.

MCM INTEGRATED TECHNOLOGIES LTD.

Applicant.

Opposition No. 123,455

|   |               |
|---|---------------|
| Express Mail mailing label No.  | EV076181722US |
| Date of Deposit   | July 2, 2002  |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademark, 2900 Crystal Dr., Arlington, VA 22202-3513. |               |
| Courtney J. Andreasgray   |               |
| (Type or Print Name of Person signing the certificate)  |               |
|   |               |
| (Signature of Person Signing the Certificate)   |               |

Box TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**STIPULATED MOTION TO RESET TESTIMONY PERIODS**

Sir:

It is hereby stipulated and agreed between the parties, the Trademark Trial and Appeal Board consenting, that the testimony periods in the above-referenced case be extended thirty (30) days and reset as follows:

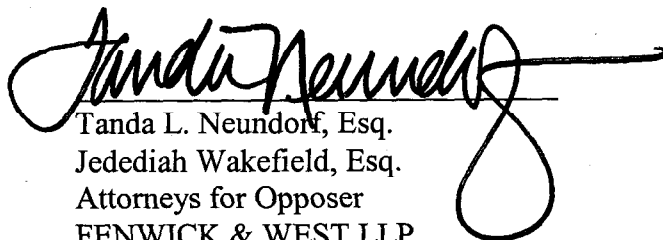
|  | <u>Previous Date</u> | <u>New Date</u>   |
|--|----------------------|-------------------|
| Testimony for party in position of plaintiff to close<br>(opening 30 days prior thereto) | July 5, 2002         | August 4, 2002    |
| Testimony for party in position of defendant to close<br>(opening 30 days prior thereto) | September 3, 2002    | October 3, 2002   |
| Rebuttal testimony period to close<br>(opening 15 days prior thereto)                    | October 18, 2002     | November 17, 2002 |

This request is made in good faith and not for the purpose of unduly delaying proceedings in the Patent and Trademark Office, but to resolve the matter without the need of a formal opposition proceeding. The parties have initiated negotiations to settle this matter and require additional time to pursue such negotiations and terms of agreement. It is believed that this constitutes good cause for the extension, and an order granting this motion is respectfully requested.

Pursuant to a telephone discussion held between the undersigned, counsel for Opposer, and Richard C. Nielsen, counsel for Applicant, on June 28, 2002, the parties have stipulated and agreed to this thirty (30) day extension of time. A copy of this Stipulated Motion is being served on counsel for Applicant as reflected in the attached Proof of Service.

This motion is being submitted in triplicate.

Respectfully submitted,

  
Tanda L. Neundorff, Esq.  
Jedediah Wakefield, Esq.  
Attorneys for Opposer  
FENWICK & WEST LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
(650) 494-0600

Dated: June 28, 2002

PROOF OF SERVICE BY MAIL

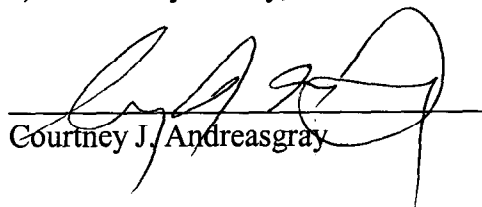
I declare that:

I am employed in the City and County of San Francisco, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Fenwick & West LLP, 275 Battery Street, Suite 1500, San Francisco, California. On July 2, 2002, I served the STIPULATED MOTION TO RESET TESTIMONY PERIODS, on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California, addressed as follows:

Richard C. Nielsen  
Stewart, Aulinger & Company  
Barristers & Solicitors  
1200-805 West Broadway  
Vancouver, BC  
CANADA V5Z 1K1

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at San Francisco, California, this 2<sup>nd</sup> day of July, 2002.

  
Courtney J. Andreasgray